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Attorneys for Plaintiff, the proposed FLSA Collective and potential Rule 23 Class

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

--X

WEIGANG WANG and HAILONG YU, *individually and on behalf of others similarly situated,*

Plaintiffs,

-against-

CHAPEI LLC d/b/a Wok Empire,
CHA LEE LO, and
JOHN DOES #1-10

Defendants.

--X

Case No: 15-cv-2950

CERTIFICATION OF JOHN TROY IN SUPPORT OF PLAINTIFF'S MOTION FOR CONDITIONAL COLLECTIVE CERTIFICATION

JOHN TROY, an attorney admitted to practice law in the State of New York and before the United States District Court for the District of New Jersey by *pro hac vice*, hereby affirms under penalty of perjury that:

1. I am the principal of Troy Law, PLLC, and attorney for the Plaintiff and putative class in this action. I submit this affirmation in support of Plaintiff's motion for an Order granting collective action status pursuant to 20 U.S.C. § 216(b) for Plaintiff's claims under the Fair Labor Standards Act.

2. The putative class consists of the named Plaintiff and all current and former employees of

Chapei LLC d/b/a Wok Empire who performed work as non-exempt, non-managerial employees from April 24, 2012 to the present. Corporate officers, shareholders, directors, administrative employees, managers, and other customarily exempt employees are not part of the defined class.

3. The following exhibits are annexed:

    1. Complaint;
    2. Plaintiff Weigang Wang's Affidavit;
    3. Plaintiff Hailong Yu's Affidavit;
    4. Proposed Notice of Pendency;
    5. Consent to Join Lawsuit Form; and
    6. Proposed Publication Order.

4. As alleged in the complaint and affidavit, the Named Plaintiff and proposed members of the class experienced a common set of policies and practices by the Defendants as to wages, and hours that violated the FLSA, and there are more similarly situated former employees who have been subjected to the same unlawful employment practices. The employment policies and practices common to the Named Plaintiff and class members include the following:

    a. The Defendants willfully failed to pay Plaintiff and other employees overtime wage for hours worked over 40 in one workweek as required by the FLSA.

    b. The Defendants willfully failed to pay the Plaintiff and employees at the minimum wage rate for each hour worked as required by the FLSA.

5. Plaintiff alleges that he has personal knowledge of other employees who were subject to these policies and the details are further set forth in his affidavit herewith.

6. Troy Law, PLLC. has considerable experience in employment and labor law, and has successfully represented workers in numerous cases similar to the case at bar to recover unpaid overtime and minimum wage pay in federal and state courts under the Fair Labor Standards Act and New York Labor Law.

7. For the reasons set forth above and those set forth in the accompanying Memorandum of law, Plaintiffs respectfully request that this Court enter an Order granting collective action status, pursuant to 29 U.S.C. § 216(b) for Plaintiff's claims under the Fair Labor Standards Act.

Dated: Flushing, New York
March 13, 2017

Respectfully submitted,
Troy Law, PLLC.

Attorney for Plaintiff and proposed collective action members

By: /s/John Troy

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